

EXHIBIT 2-1

SUMMARY STATEMENT ON APPLICATION FOR EXPEDITED SERVICE AND/OR INTERIM RELIEF

(SUBMITTED BY MOVING PARTY)

Date June 6, 2017

Title of Matter Asensio v. Bosak Index/Indict # Docket #
V-43839-13/131

Appeal by petitioner from order judgment of Supreme Surrogate's Family County New York
Court entered on June 1, 2017

Name of Judge Adetokunbo Fasanya Notice of Appeal filed on June 2, 2017

If from: administrative determination, state agency _____

Nature of action or proceeding Custody modification

Provisions of order judgment appealed from Dismissal of petitioner's objections to procedural defects in attorney for the child's motions for contempt

This application by appellant respondent is for Stay of contempt and leave to appeal

If applying for a stay, state reason why requested petitioner risks incarceration on the basis of defective application

Has any undertaking been posted No If "yes", state amount and type _____

Has application been made to court below for this relief yes If yes, state Disposition Denied on record on June 1
Has there been any prior application herein in this court yes If "yes", state dates and nature _____

Petitioner has sought to stay + appeal attorney for the child + suspension orders on 12/5, 12/23, 1/7, 3/10, 3/27 + 3/26

Has adversary been advised of this application yes Does he/she consent No

#8

Attorney for Movant

Name Mitchell Cantor
Address 355 Lexington Ave Suite 901
New York NY 10017
Tel. No. (212) 679-7820

Appearing by _____

Attorney for Opposition

Carmen Restivo, Esq
299 Broadway Suite 14
New York NY 10007
attly for the child,
(718) 767-3798
Chenab Mosi + Forman
3 E 54th St NY NY 10022
(212) 317-1717

(Do not write below this line)

DISPOSITION

Justice

Date

Motion Date _____ Opposition _____ Reply _____

EXPEDITE _____ PHONE ATTORNEYS _____ DECISION BY _____

ALL PAPERS TO BE SERVED PERSONALLY.

Court Attorney

SUMMARY STATEMENT ON APPLICATION FOR EXPEDITED SERVICE AND/OR INTERIM RELIEF

(SUBMITTED BY MOVING PARTY)

9

Date 9/22/2017

Title of Matter Manuel P. Asensio Index/Indict # 155833-2017
Hon. Ade to kunbo O. Farany A, Richard

Appeal by order judgment of Supreme Surrogate's Family Court entered on 9/20, 20 17
 from decree

County New York SpitzerName of Judge Nancy E. BannonNotice of Appeal filed on 9/21, 20 17

If from: administrative determination, state agency _____

Nature of action Article 78 Prohibition Petition - Motioi
 or proceeding for Stay of All proceeding on all related
 Provisions of order judgment appealed from to Richard Spitzer
decree Calendaring of brief and hearing
is dispositive to Motion and Petition

This application by appellant respondent is for Reverse and Order Stay.
Order Interim Stay on Expedited Reasoned
Decision. Order Stay of all matters related

If applying for a stay, state reason why requested to Richard Spitzer.
All fact and laws related to Richard Spitzer
are central to the Art 78 and a Second Art 78 and
Two (2) Supreme Court
 Has any undertaking been posted No. If "yes", state amount and type CASES.

Has application been made to court below for this relief Yes
 Has there been any prior application herein in this court NO.

If yes, state Disposition Family Court - Denied
Supreme Court - Denial
 If "yes", state dates and nature is subject of this proceeding.

Has adversary been advised of this application Yes Does he/she consent No

#10

STATE OF NEW YORK
ATTORNEY GENERAL
MANAGING ATTORNEY'S OFFICE
RECEIVED
2017 SEP 23 AM 10:03

Attorney

r Opposition

Name Manuel P Asensio
 Address 400 East 54th St.
Apt. 29B
New York, N.Y. 10022
 Tel. No. (917) 515-5206

Appearing by person, Manuel
P. Asensio, appearing

(Do not write below this line)

DISPOSITION

09/25/17 Deny interim Relief.
Pending determination by
providing papers served full bench
on AG by 9/25/17
in person.

Justice

TKW

Date

9/27/17

Motion Date 10/2/17 Opposition

EXPEDITE

PHONE ATTORNEYS

DECISION BY

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EW
 Court Attorney

SUMMARY STATEMENT ON APPLICATION FOR EXPEDITED SERVICE AND/OR INTERIM RELIEF

(SUBMITTED BY MOVING PARTY)

Date 9/26/2017Title
of
MatterManuel P. AsensioIndex/Indict # 155833/2017vs. Hon. AdetokunboAppeal
byPetitionfrom order
decree

of

Supreme
Surrogate's
Family

County

New York

Court entered on

9/20, 2017Name of
JudgeNancy M. BANNONNotice of Appeal
filed on9/21, 2017

If from: administrative determination, state agency

Nature of
action

or proceeding

Article 78 Prohibition consolidatew/ Art 78 156692/17 and Civil 153766/17

Provisions of

order
judgment
decree

appealed from

Related to 15812/16 & 300417/11Denial of Stay and leave toappeal is effectively dismissed to the
care of above.

This application by

appellant
respondent

is for

Stay for Reasonsstated here and in attached.

If applying for a stay, state reason why requested

Five CasesVerified "Reason for Stay"effective today on Monday Sept. 25, 2017

Has any undertaking been posted

NO.

If "yes", state amount and type

Has application been made to
court below for this reliefYesIf yes, state
DispositionHas there been any prior application
herein in this courtNOIf "yes", state dates
and natureHas adversary been advised
of this applicationYesDoes he/she
consentNO

Attorney for Motion

Attorney for Opposition

Name Manuel P. ASENSIO
 Address 400 East 54th St, 29th Fl.
New York, N.Y. 10022
(212) 702-8800
 Tel. No. (917) 515-5200

Appearing by Self-Represented
Law firm of Mitchell Cantor
Mitchell Cantor, Esq.
Approved prior and
Represent Motion 9/15/17
(212) 679-7820

N.Y. State Attorney
JAMES COONEY, Esq.
Asst. State Attorney
120 Broadway
24th Floor

N.Y., N.Y.
(212) 416-6082

(Do not write below this line)

DISPOSITION

Petitioner's application for a stay of the
underlying proceedings before Family Court
Judge FRASANYA is denied in its entirety.

So Ordered,

John Magal Daniels 9-26-17
 Justice SM Date
 Motion Date 10/10/17 Opposition 10/5/17 Reply 10/9/17

EXPEDITE PHONE ATTORNEYS DECISION BY Eut

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Eut
 Court Attorney

**SUMMARY STATEMENT ON APPLICATION FOR
EXPEDITED SERVICE AND/OR INTERIM RELIEF**
(SUBMITTED BY MOVING PARTY)

Date 10-6-2017

Title of Matter Manuel P. Asensio Index/Indict # 124-17
against Hon. Justice Nancy M. Barron

Appeal by order judgment of Supreme Surrogate's Family County New York
from decree Court entered on 10-5-2017

Name of Judge _____ Notice of Appeal Petition Originating
filed on _____, 20 in A.D.

If from: administrative determination, state agency _____

Nature of action or proceeding Temporary Restraining Order

Provisions of order judgment appealed from Denials of TRO on 9/22
and 9/29 by Judge Barron
without fact-finding, hearing or Decision

This application by appellant respondent is for TRO
Petitioner

If applying for a stay, state reason why requested Factual Allegations in
Art 78 Petitions pending before Judge Barron
are equal to charges AG could file under Penal

Has any undertaking been posted No If "yes", state amount and type Code 195

malicious, deliberate actions taken in
clear absence of jurisdiction to reach

Has application been made to court below for this relief Yes If yes, state a fraudulent judgment,
Disposition TRO Denied 9/20 & 9/29
Has there been any prior application Yes If "yes", state dates 9/22 - TRO Denied
herein in this court and nature Pending determination by full bench.

(AG sought adjournment at AD and in Petition)

Has adversary been advised of this application Yes Does he/she consent No

Attorney for Movant

Attorney for Opposition

Name Manuel P. Arensio
Address 400 East 54th St
Apt. 29B
N.Y., N.Y. 10022
Tel. No. (212) 702-8801

James Cooney
Mark Shawhan
(John Sullivan-OCA)
N.Y. State Attorney
General
120 Broadway
24th Floor
N.Y., N.Y. 10271-
0332

Appearing by _____

(Do not write below this line)

DISPOSITION

Justice

Date

Motion Date _____ Opposition _____ Reply _____

FILED _____ PHONE ATTORNEYS _____ DECISION BY _____

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Court Attorney

Title Matter of Asensio v. Fasanya Index/Indict # 155833/2017
of _____
Matter _____

Appeal by Petitioner from ☒ order ☐ judgement of ☒ Supreme ☐ Surrogate's County New York
☐ decree ☐ Family Court entered on Sept. 20, 20 17

Name of Judge Justice Bannon Notice of Appeal filed on N/A, 20 ____

If from administrative determination, state agency _____

Nature of action or proceeding Article 78 proceeding in the nature of prohibition, seeking to stay certain proceedings in Family Court.

Provisions of ☒ order ☐ judgement appealed from Refusal to grant a temporary restraining order pending decision
☐ decree

on petitioner's request for a preliminary injunction staying proceedings in Family Court pending adjudication of the article 78 proceeding in Supreme Court.

This application by ☐ appellant ☒ respondent is for A seven-day extension of time to respond to petitioner's pending application in this Court under C.P.L.R. 5704(a) for a stay of proceedings in Family Court pending adjudication of the article 78 proceeding in Supreme Court.

If applying for a stay, state reason why requested _____

Has any undertaking been posted ☐ Yes ☒ No If "yes", state amount and type _____

Has application been made to court below for this relief ☐ Yes ☒ No If "yes", state disposition _____

Has there been any prior application herein in this court ☐ Yes ☒ No If "yes", state dates and nature _____

Petitioner has made multiple applications in this Court. Respondent has not made any prior applications.

Has adversary been advised of this application Yes. Does he/she consent No.

Address 120 Broadway, 25th Floor
New York, NY 10271

400 East 54th St, 29th Floor
New York, NY 10022

Tel. No. (212) 416-6325

(212) 702-8800

Appearing by Mark H. Shawhan

Pro se

Assistant Solicitor General

(Do not write below this line)

Disposition

7 day extension of time granted to respond so
that AAG's papers due 10/12/2017
Reply then due 10/17/2017

All papers shall be served on other side at
SAME TIME

M-5134) one response
M-5136) in reply

CM

10/14/2017

Justice

CM

Date

Motion Date 10/17 Opposition 10/12 Reply 10/17

EXPEDITE _____ PHONE ATTORNEYS _____ DECISION BY _____

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CM

Court Attorney